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that Dr. Schrader has not sued is not relevant to any issue in this lawsuit and Plaintiff requests that Defendant be precluded from introducing evidence or argument that Dr. Schrader has not sued.

Only relevant evidence is admissible. Fed. R. Evid. 402. Evidence is relevant if it tends to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence. Fed. R. Evid. 401. Moreover, Rule 403 of the Federal Rules of Evidence permits a court to exclude relevant evidence if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury. Whether or not Dr. Schrader sued or filed an EEOC charge is not relevant to whether Plaintiff has a valid claim and any probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury.

(2) Evidence of Plaintiff's other EEOC charge or complaint against Sharon Pertiller.

In the fall of 2016, Plaintiff had a conflict with Sharon Pertiller before any of the allegations alleged in this lawsuit occurred and filed an internal complaint against Pertiller. Further, Plaintiff also filed a second charge with the Equal Employment Opportunity Commission for reverse discrimination based on race. These allegations are not relevant to this lawsuit. Under Rule 403 of the Federal Rules of Evidence, the court may exclude relevant evidence if the probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury. Under both Fed. R. Evid. 402 & 403, this evidence should be excluded.

Plaintiff respectfully requests Plaintiff's other EEOC charge and her complaint against Sharon Pertiller be excluded from evidence.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on December 27, 2019, a copy of Plaintiff's Brief and Memorandum of Law in Support of Plaintiff's Motion in Limine - II was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt as follows: Charles K. Grant, Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., Baker Donelson Center, 211 Commerce Street, Suite 800, Nashville, TN 37201, Sharonda Childs Fancher, Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., 1400 Wells Fargo Tower, 420 20th Street North, Birmingham, AL 35203, and Anne Bennett Hunter & Heather Moore Collins, Collins & Hunter, PLLC, 7000 Executive Center Drive, Suite 320, Brentwood, TN 37027. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

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